

Panel Discussion (contd)

1 future actions.

2 And it's been very difficult to try
3 to get Congress to authorize something like
4 that.

5 MR. GERRY POLLET: Have you
6 asked?

7 MR. MICHAEL COLLINS: I have
8 not, no. It's my understand DOE has, but I'm
9 not positive.

10 MR. GERRY POLLET: It would be
11 reasonable, then, for this EIS to consider as
12 an alternative that every generator shipping
13 waste to the site, pay into a fund for the
14 long-term monitoring and capping and
15 remediation of its burial grounds.

16 And your own EIS shows how much more
17 expansion you have to have for the offsite
18 waste?

19 MR. DEE WILLIS: We have
20 another DOE --

21 MR. MICHAEL COLLINS: I'll just
22 respond one more time. DOE does not believe
23 that's appropriate for a site-specific
24 document. It would be appropriate for a
25 complex-wide/nation-wide type of document.

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Panel Discussion (contd)

1 MR. GERRY POLLET: So you're
2 telling the public that when we made that
3 comment in 1997 and you blew us off, now, we
4 should have made it again in 1997; you should
5 have considered it then.

6 Because we sure did make that
7 comment then. And the Hanford Advisory Board
8 did. And you said "Come back later."

9 MR. DEE WILLIS: We have
10 another DOE employee here that works with Mike.
11 He wants to respond to Gerry, so with your
12 permission, I'm going to let him response just
13 once.

14 MR. GEORGE SANDERS: Just once.
15 Thank you, Dee. I'm George Sanders. Just a
16 couple of comments, but the first one is with
17 respect to long-term setting aside funds for
18 closure and that sort of thing.

19 The Congress operates on an annual
20 budget basis. And DOE does try to do long-term
21 life-cycle planning.

22 It's my understanding that the
23 Congress and the Senate authorize and earmark
24 funds for the country on an annual basis. And
25 they get to take another shot at that.

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Panel Discussion (contd)

1 Right now we are not allowed to set
2 up long-term accounts that are not subject to
3 the Congress's approval.

4 And so that's just a fact of life.
5 And so we do long-term planning, but it's still
6 subject to an annual review.

7 One of the comments Gerry made about
8 Parks Township, the large volume, that was a
9 result of a court action that directed DOE to
10 do that. Thank you.

11 MR. GERRY POLLET: Now, you
12 actually authored the document. It was a
13 court-approved settlement between the parties;
14 you submitted it, you offered it, you wrote it.

15 MR. DEE WILLIS: Gerry, let's
16 move on. Let's move on, okay.

17 MS. MAXINE HINES: Can I ask,
18 what are the criteria?

19 MR. GEORGE SANDERS:
20 Absolutely.

21 MS. MAXINE HINES: Okay. Sorry
22 to delay this, but this is really important.
23 If everybody feels like -- I mean, everybody
24 here and most people around Hanford feel like
25 it's full and we haven't taken care of

Panel Discussion (contd)

1 business, why are we sending more stuff here?

2 And when, at the last public
3 hearing, there was several people brought up
4 criteria, "Is it unsafe where it is? Let's not
5 move it unless it's a worse hazard there than
6 it is coming to Hanford." And no one has
7 addressed that.

8 MR. MICHAEL COLLINS: Are you
9 talking about the criteria for sending it here?

10 MS. MAXINE HINES: Yes. Why
11 move something that's safe where it is? Why do
12 we need to move something that is safe where it
13 is, to a place through trucks, through valleys,
14 through people, all that stuff, to get it to
15 Hanford where things are already draining into
16 the river?

17 MR. MICHAEL COLLINS: It's not
18 necessarily safer there.

19 MS. MAXINE HINES: That's my
20 question: Is that, in that large document, is
21 that addressed?

22 MR. MICHAEL COLLINS: It's not
23 in there, no.

24 MS. MAXINE HINES: So is that
25 addressed anywhere?

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Panel Discussion (contd)

1 MR. MICHAEL COLLINS: It's
2 addressed in the Waste Management Programmatic
3 EIS that was completed in 1997, which led to
4 this decision to send low-level and mixed
5 low-level waste here.

6 It led in part of the decision to
7 send transuranic waste to New Mexico, and in
8 part to send the high-level waste to --

9 MS. MAXINE HINES: Based on
10 economics? Or safety, immediate safety?

11 MR. MICHAEL COLLINS: Yes.
12 Well, long-term safety, immediate safety,
13 economics.

14 MS. MAXINE HINES: In which
15 order?

16 MR. MICHAEL COLLINS: I don't
17 know.

18 MS. MAXINE HINES: That's
19 important.

20 MR. DEE WILLIS: Can you answer
21 that?

22 MR. GEORGE SANDERS: I can see
23 that there's a broader and general sense of why
24 waste comes here; and that is, that there are
25 consent orders, there are consent agreements,

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Panel Discussion (contd)

1 there are regulatory agreements in a lot of
2 states around the country where DOE is located.
3 And in many cases, those agreements do not
4 allow local disposal and local disposition.

5 And in Mike's case, there's NEPA.
6 And we were just talking about there's NEPA in
7 these consent agreements at each facility and
8 site around the country.

9 And so that's where a lot of these
10 decisions about disposal and treatment and
11 sending waste offsite from those locations that
12 will come to us, and Nevada test site, are
13 made.

14 So it's a national collection of
15 drivers that bring it here.

16 MR. GERRY POLLET: But, George,
17 hold on a second.

18 MR. GEORGE SANDERS: Yeah.

19 MR. GERRY POLLET: All cleanup
20 waste, that's called the environmental
21 restoration, those consent decrees, not any of
22 it, none of it, was addressed in the waste
23 management PEIS, correct?

24 MR. GEORGE SANDERS: No. The
25 only thing that we're dealing with here are

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Panel Discussion (contd)

1 low-level and mixed low-level wastes. That's
2 the subject of this EIS.

3 MR. GERRY POLLET: So all the
4 cleanup wastes from the consent decrees that
5 you're just citing, none of that was in the
6 waste management 1997 programmatic EIS?

7 MR. GEORGE SANDERS: No. I'm
8 referring to consent agreements and agreements
9 between DOE and the local states where they
10 reside.

11 MR. GERRY POLLET: But this
12 woman's questions isn't answered yet then,
13 because she asked what was the criteria.

14 And you said, "Well, we made a
15 national decision in '97 to ship it here," and
16 you're saying based on these consent decrees.

17 But that '97 document didn't
18 consider any of that waste from the cleanup of
19 other weapon sites.

20 MR. DEE WILLIS: So what's your
21 comment, Gerry?

22 MR. GERRY POLLET: It's
23 excluded. So what is the criteria for making
24 a decision now, if you're shipping waste from a
25 cleanup site over somewhere else to here?

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Panel Discussion (contd)

1 What is the criteria for not
2 shipping it to a private disposal site in Utah,
3 which it has liners and is regulated, for
4 instance? How do you make that decision? Why
5 does it come here? Is it economics?

6 MR. DEE WILLIS: Any other
7 people on the panel?

8 Mr. Cimon?

9 MR. NORM CIMON: Yeah, just a
10 quick point. Unfortunately, the inability to
11 really get a true cost associated with
12 long-term site-specific waste brings up the
13 same problem I mentioned at hearings before;
14 and that is, there's no way to get any kind of
15 decent economic analysis ever put together
16 about the true cost of this.

17 It just comes out of one big giant
18 pile of money and gets lost. There is no way
19 that any of the economic analysis can possibly
20 make sense.

21 There is no allocation of costs.
22 None whatsoever. No long-term allocation of
23 costs. It gives me real doubt about how much
24 credibility I can assign to any of the economic
25 analyses I see.

TLG-0010

1 If, in fact, none of the true
2 allocations of costs on a site-specific basis
3 can ever really be done.

4 MR. DEE WILLIS: Anybody want
5 to respond to that? So we'll take that as a
6 comment.

7 Ms. Julie Farnam.

TLG-0010

8 MS. JULIE FARNAM: I think that
9 the whole process feels like something that's
10 being shoved down our throats. And I think
11 that's a problem, because we're not here just
12 because we're worried about something little.
13 We're here because we're concerned about
14 generations beyond even our comprehension.

15 And I think that this is an
16 important question. Really, really an
17 important question.

18 And it makes much more sense to me
19 to come at it from asking us what it would take
20 for us to be okay, to feel that we have a place
21 to dump and store this stuff. It has to be
22 dumped and stored.

23 And the people who live here, to be
24 able to respond with what it would take for us
25 to be okay with it. And I think that you're

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1 going at it backwards, and it's not going to
2 work and we're not going to buy it.

3 And I just want to know how to
4 donate to the causes that Gerry is describing
5 in terms of blocking things through the courts
6 until Department of Energy gets that figured
7 out. Thank you.

8 MR. MICHAEL COLLINS: Would
9 that be a comment for you or a question?

10 MS. JULIE FARNAM: Yeah, that's
11 a comment. But if you want to say something,
12 you can.

13 MR. MICHAEL COLLINS: You can
14 talk to Gerry.

15 MR. DEE WILLIS: Does the panel
16 have any response to that, to that comment?

17 MR. KEN NILES: I think that's
18 a great comment and a great suggestion. Let me
19 just kind of tie this back to something we did
20 in 1988 at the state level.

21 A lot of you have heard about
22 certain shipments called transuranic waste
23 shipments and they've talked about them a
24 little bit tonight.

25 In 1988 the state was told that we

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Panel Discussion (contd)

1 we're expecting, by the Federal Government,
2 those shipments are going start at any time.
3 And there's going to be 16,000 of them over
4 30 years.

5 And the state came out through
6 people like Shelley, with the Oregon Hanford
7 Waste Board.

8 And we basically held meetings up
9 and down this transportation corridor in
10 Eastern Oregon and we said "The Federal
11 Government is going to do this, what can we do
12 to make the transportation element of this a
13 little bit more acceptable?"

14 "What types of safety precautions
15 can be put in place, for these shipments, to at
16 least give you a little bit of comfort that
17 people are taking this seriously?"

18 And eventually what we did is we
19 took those recommendations, Oregon took them to
20 the western states, and we did develop a
21 comprehensive transportation safety program.

22 And that type of public involvement
23 and participation has just -- we thought it was
24 marvelous. We thought we ended up with a great
25 result that had some public buy-in, that had

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Panel Discussion (contd)

1 good, sound common sense behind it.

2 Unfortunately, we're dealing with
3 the Federal Government, which, you know, the
4 states have asked for -- and it's a hard
5 concept to really fully explain, but the simple
6 main part has been a national dialogue, to talk
7 about, in detail, these national issues that
8 affect everybody and to try to come up with
9 some fair equity within these.

10 The states would always push the
11 name as the national equity dialogue and people
12 didn't like the idea of equity because they
13 didn't think that was going to be the end
14 result.

15 And we didn't get anywhere with that
16 idea. We had a couple of workshops that didn't
17 really pan out.

18 But I just think that's such a
19 terrific idea and a terrific comment to look at
20 it from the other way. If you've got to do
21 this, what are the kinds of things we can do.
22 And some of those elements, actually, are in
23 there.

24 Some of them are. They're not told
25 to you that way. And they're beginning to say,

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Panel Discussion (contd)

1 they're talking about "Hey, we're shifting to
2 lined trenches. At least is our proposal."
3 And they're beginning to get that far. But I
4 just think that was a great comment.

5 MR. DEE WILLIS: Anybody else?

6 MS. SANDRA ROTH: I have a real
7 quick question. I guess my feeling is you
8 said, Ken, that said that you feel the
9 transportation is safe.

10 My question is: Why should I be
11 subject to feel that it's safe to live here
12 when it could happen?

13 I mean, it's my right to live in a
14 safe environment, and why do I have to question
15 that?

16 MR. KEN NILES: Absolutely.
17 And from a state level, we're not happy with
18 all the ideas the Department of Energy, the
19 U.S. Department of Energy has about
20 transportation.

21 We would just as soon not see
22 shipments during the winter, because we
23 recognize the weather. Weather conditions out
24 here run a long time and are very
25 unpredictable.

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Panel Discussion (contd)

1 These shipments do represent a risk,
2 there's no doubt about it. I don't believe
3 it's as great a risk as other people might say
4 so.

5 And I guess the best answer I would
6 give you is go to a professional that you might
7 have some trust with, go to your local fire
8 department and talk to the HAZ-MAT team members
9 and say, "Are you okay with this risk? Is this
10 something that you believe is -- you know, does
11 it worry you as a professional who understand
12 the risk of these shipments?"

13 And talk to them and see if they can
14 give you either a level of comfort or if they
15 can't, then I guess you have to take some other
16 step and say "How can I stop this risk from
17 recurring?"

18 I don't know if that answers your
19 question very well.

20 MR. DEE WILLIS: Anybody else
21 on the panel?

22 MR. KEN NILES: Let me, just
23 one extra thing and then Gerry. From the
24 state's standpoint, we cannot stop these
25 shipments.

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Panel Discussion (contd)

1 We cannot say "You will not ship
2 radioactive materials through the state of
3 Oregon if they're complying with regulations."
4 We just simply can't do it from a legal
5 standpoint.

6 So we do what we can from a
7 political standpoint to negotiate with them to
8 try and get some concessions, we can.

9 MR. GERRY POLLET: And I think
10 that goes to what I was going to say is that
11 Oregon has done a model job from the '80's.
12 And that dialogue process around the state was
13 an incredible public involvement process to
14 build a consensus about how do you respond and
15 mitigate the risks.

16 And I'm glad you said what you said,
17 Ken, because the point of these shipments is
18 that they're inherently dangerous. And we can
19 make them safer. And this state has done so.

20 And after this state adopted a very
21 strong program, we tried to take it north to
22 Washington to do so.

23 Unfortunately there are two real
24 realities here: One is, the state only has a
25 limited amount of money, which is to say really

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Panel Discussion (contd)

1 limited amount of money these days, right, any
2 state; and, two, the state has to negotiate
3 then with the Department of Energy or sue for
4 these things.

5 And at times, the Department of
6 Energy is more amenable than at other times.
7 And that is a hell of a problem to be reliant
8 on that for safety.

9 So the emergency responders may be
10 well equipped this year, but they may not be in
11 three years.

12 The shipments out from WIPP, I think
13 it's important to note I have a lot greater
14 confidence in because of what's been negotiated
15 than the shipments in from out of state to
16 Hanford.

17 MR. DEE WILLIS: WIPP?

18 MR. GERRY POLLET: WIPP, being
19 the New Mexico, underground --

20 MR. MICHAEL COLLINS: Waste
21 Isolation Pilot Plant.

22 MR. GERRY POLLET: So where the
23 transuranic waste is supposed to eventually be
24 permanently disposed underground.

25 And the western governors led by

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Panel Discussion (contd)

1 Oregon over 20 years have negotiated, or
2 15 years, whatever it is, a very strong
3 program. That means that the risk is reduced,
4 but it's not inherently safe.

5 And the second and the last point
6 is: Unfortunately, when DOE doesn't consider
7 those risks, and they haven't in this case,
8 that's when states can go to court, citizen
9 groups go to court, and we can stop them at
10 least for the time being. And that's what
11 we've done.

12 MR. MICHAEL COLLINS: Just a
13 statement here. I haven't said it a lot, but
14 DOE and Gerry and Shelley and other folks are
15 going to disagree on a lot of things, and this
16 is one of them, so --

17 MR. DEE WILLIS: Ms. Roth, did
18 you get your question answered?

19 MS. SANDRA ROTH: Uh-huh.

20 MR. DEE WILLIS: Who's next?
21 Next question or comment.

22 MR. KEN NILES: Can I ask a
23 question of Mike from Oregon Department of
24 Transportation, if you would.

25 Do you have any plans for total

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